Special Issue: **Is the CIA Compatible With Co-Existence?**

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Communist China and The 13: Who Is to Blame?

1. Last June the British representative in Peking delivered a list of missing United Nations prisoners to the Chinese Communist government. The eleven U.S. airmen now sentenced as spies were on that list. Only negative replies were received. Peking thereby left the impression that these men were dead. This was bad faith.

2. Spies are not sent out in the uniform of their own country. The rules of war merely embody good sense in providing that a man arrested in his country's uniform is to be treated as a prisoner of war, not a spy. The 11 airmen should have been exchanged in "Operation Big Switch" last year. In holding them back, Peking violated the Armistice Agreement and the Geneva convention on the treatment of prisoners of war, which provides that prisoners shall be "released and repatriated without delay after the cessation of active hostilities." All the Soviet States were signatories of that convention, which was concluded just before the Communists took over China. Peking has invoked its terms in the past and thereby recognizes its moral authority.

Held Incommunicado Two Years

3. Under the Geneva convention, certain safeguards must be honored if prisoners of war are put on trial. Among others, "No moral or physical coercion may be exerted . . . to induce him to admit himself guilty of the act of which he is accused." At least three weeks before the trial opens, the neutral nation which serves as "Protecting Power" under the convention is supposed to be notified. The prisoner is supposed to have the service of counsel and at least two weeks to prepare his defense. Three months is the maximum a prisoner may be held awaiting trial. These men were held incommunicado two years, and no one knew about the trial until the verdict was announced.

4. Under the circumstances, the confessions are suspect. No liberal or radical in this country would accept a confession obtained by holding a man secretly for two years, under conditions where he could be told that the world and his family thought him dead—and that he would be dead—unless he confessed. These men could have been killed in prison and no one would have been the wiser. The accused may have told the truth or they may have agreed to confess on a promise that they would get less than the death penalty and therefore have a chance of some day reaching home again.

5. Part of the case against the Americans may also have been built up by offering leniency to arrested Chinese who would testify against them. Thus the broadcast from Peking said of alleged CIA and Nationalist agents parachuted into China, "there are a few who have been intimidated into working for the secret service and the intelligence agencies of the United States and the traitorous Chiang Kai-shek clique. Having been parachuted, they saw their own powerful country and the happy life of the people and realized that what they did was a crime against the motherland. Consequently they gave themselves up to the People's Government. They were subsequently treated with leniency." (London *Times*, Nov. 25).

The Case of the Two Civilians

6. Some but not all of what can be said in defense of the airmen applies as well to the two civilian defendants. As the *Christian Science Monitor* said November 26, "Their case is far less clear. One was reported by his family as working for the Central Intelligence Agency." The Army says they were "hitching" a lift from Korea to Tokyo. The Chinese claim they were arrested in Kirin province, Manchuria. "It is hard to understand," the *Monitor* said, "how such a flight could stray over China, and we wonder if this is the whole story." It may be indicative that while the sentences imposed on the airmen ranged from four to ten years, one of the civilians was given life imprisonment and the other civilian 20 years.

7. The suspicion that the two civilians may be in a different situation is not, of course, proof. "Persons who accompany the armed forces without actually being members thereof" are also protected by the Geneva convention, and this would cover civilian employes of the Army. It would be important to know whether the names of these two were on previous lists of the missing about whom inquiry was made through the British at Peking. If they were not on earlier lists, it might mean that they were on some secret mission. This like other details cries out for independent investigation. Perhaps the Neutral Nations Repatriation Commission would take over the task if requested by both sides.

Peking Ready to Dicker

8. The one good point in the situation is that none of the Americans have been executed, as were some of the Chinese alleged to have worked with them. The Chinese government obviously is prepared to dicker. The worst point, and the one on which Peking most deserves condemnation, is that the manner and timing of this affair undercuts all who have been working for peace and plays into the hands of Chiang Kai-shek and the interventionists. This is not the way to bring about co-existence.

9. At the same time, our own government would be in a better position to do its duty and help the 13 Americans, and others who may still be held in China, if it were not for the silly position into which we are forced because we do not recognize China. *Reuter's* described the ludicrous procedure

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which took place when we made our protest in Geneva. "As neither consul could go to the other's consulate," it reported, "the procedure involved meeting in a hotel room which was taken for the occasion, the cost of the room being paid by both governments." (London *Times*, Nov. 25). One wonders whether the consuls spoke or merely clicked their heels.

10. The most important factor in the whole picture, the one which perhaps explains our failure to demand a United Nations investigation, is the role of the Central Intelligence Agency. The charges against these 13 men may be unfounded. They may be innocent. It is easy to laugh at the specific charges as the Washington *Star* did in its review of the week last Sunday (Nov. 28) when it said, "No intelligence officer in his right mind would send Caucasians into Manchuria as spies. Nor would he send 11 of them on one plane." But the broader picture is different. As the *Star* went on to say about Peking's charges of "230 American and Chinese Nationalist" agents apprehended since 1951, "the figure is probably much too small. Chiang Kai-shek claims the mainland is swarming with his agents. If only 106 of them have been killed, this must be good news to the Formosa government." But we have been financing Chiang and our Central Intelligence Agency has been boasting of carrying on exactly the kind of activities of which Peking complains. Our government does not come into court with clean hands.

11. An impartial investigation might clear the 13 but what would it say of the general charge broadcast by Peking? "The primary design of the American aggressors and the traitorous Chiang Kai-shek clique in parachuting these special agents on the mainland," *Radio Peking* said, "is to group together the remnants of revolutionairies in the Chinese mainland, plan and organize armed insurrection, establish so called 'guerrilla bases' and 'parachute landing grounds,' collect military and political information on China, and set up secret communications for the agents and supply agents who continue to sneak into China." Perhaps it is just as well that the American press did not print the broadcast (again we quote from the text in the London *Times* of Nov. 25). The average American might take this as a pretty fair description of what he assumes Chiang is doing with our help, and what he has been led to believe the CIA is secretly doing in China and elsewhere. Against that background it is a little difficult for us to strike an attitude of high moral indignation. We are ourselves partly to blame for the fate of the Thirteen.

Is The CIA Compatible With Co-Existence?

The answer to the question is "Yes" if—but only if— the CIA is to function as orignally intended. It was established by the National Security Act of 1947, which was designed to unify the armed services. Section 102 set up a Central Intelligence Agency "for the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security . . ." The purpose was to eliminate evils arising from the existence of competing and overlapping intelligence services. One was that they jealously withheld information from each other. Another was that they tended to find whatever best served the interests of their own particular branch of the service. Naval intelligence could be counted on to discover that the Russians were building ships so fast that we had better increase our naval appropriations; Air Force intelligence could be depended on not to underestimate the Soviet Air Force at budget time; etc.

The CIA was not conceived of originally as an instrument of political espionage or political warfare. The 1947 act explicity provided that it should "have no police, subpena, law-enforcement powers or internal security functions."

Johnson Feared "Military Fascism"

A dangerous expansion of powers became evident with the passage of the Central Intelligence Agency Act of 1949. This for the first time gave CIA its peculiar freedom from Congressional budgetary supervision. Alarm was created in Congress by Section 10(b) which says "The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds; and for objects of a confidential, extraordinary, or emergency nature . . ." In the Senate, Johnson of Colorado said this was the most sweeping legislation Congress had been asked to pass except for the Atomic Energy Act. He said he feared "military Fascism" and the establishment of a "Military Gestapo" (May 27, 1949). Senator Langer, citing an admission in the House committee report on the bill, said this was the first time in the history of the House or Senate that they had been called upon to pass a proposed statute "without having full and detailed information of the provisions of the bill."

Over and over again critics in House and Senate were assured that fears were unfounded, that the CIA would solely be an instrument of military intelligence. But a different direction was soon given it. John Foster Dulles in a speech before the Bond Club in New York early in 1948 (see the series of articles on "Intelligence" by Hanson W. Baldwin in the *New York Times* in March of that year) touched on the need for a cloak-and-dagger type agency to carry on "liberationist" activities. The continued hostility of the armed forces to unification in intelligence, as in other aspects of their work, pushed the new agency toward becoming a super OSS instead of a top coordinating body for intelligence; such activities promised the kind of glamor publicity every Washington agency seeks to maintain and extend itself. "Though CIA officials do not admit it publicly," *Time* magazine reported August 3 of last year, "the agency was from the start engaged in a wide range of 'covert activities': espionage, aid to resistance movements and perhaps sabotage. Armed with all the traditional devices of espionage and a few 20th century improvements, such as plastic explosives . . . CIA agents spread across the world."

What are these agents doing? One of the earliest glimpses was given by the *Washington Post* in an editorial on January 9, 1953, which seemed to be based on special information from informed sources. The paper cited five instances as a "sampling of exploits which have been the subject of many whispered complaints." The first was the CIA's subsidizing "of a neo-Nazi organization" in Germany which had marked leaders of the Social Democratic party for "liquidation." The second was holding a Japanese citizen incommunicado for eight months "under excuse of cross-examination—a job initially undertaken by General Willoughby's Army Intelligence and passed on to CIA." The third was tapping the telephones of Jose Figueres, the President of Costa Rica. The fourth proved rather prophetic: "Abortive effort by CIA undercover men to start a revolution in Guatemala and blame it on the United Fruit Company." The fifth concerned Burmese, Siamese and Vietnamese suspicion that CIA was supporting the activities of the Chinese Nationalist forces in Burma. According to the *Washington Post*, the Burma episode "led to the resignation in disgust of one of the best and most respected of our career Ambassadors."

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End Justifies the Means?

The *Saturday Evening Post* series on CIA ended by saying that CIA would continue to carry on "whether the squeamish like it or not . . . If American policy of combatting communism is moral, the procurement of intelligence to carry out that policy is moral as well." The procurement of intelligence may be "moral" by accepted standards of international morality, but are sabotage and murder moral if carried on for good ends? If CIA believes the end justifies the means, are all moral scruples abandoned? Is it safe to give a blank check to an agency of government which believes it may do anything, even to sabotage operations in which innocent people may be killed?

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A New and More Dangerous Form of Dollar Diplomacy

This tendency of the CIA to become an autonomous undercover "State Department" using cloak-and-dagger methods instead of diplomacy can now be documented more fully from CIA's own boasting. The *Saturday Evening Post* (Oct. 30, Nov. 6, Nov. 13) ran a three-part article, "The Mysterious Doings of CIA," an official portrait done with CIA's approval. In this series the CIA takes credit for the overthrow of Arbenz in Guatemala, of Farouk in Egypt and of Mossadegh in Iran. This is "dollar diplomacy" in a new and more melodramatic guise, utilizing secret agents, sabotage and subvention instead of the Marines to overthrow governments we—or the CIA—dislike.

Another activity which is neither diplomacy nor military intelligence is sabotage. "Besides its spy network and the open CIA function of research," the *Saturday Evening Post* reported, "the agency operates a super-clandestine third force—the top secret activity of aiding and abetting freedom forces where the patriotism of captive peoples may be fanned from a spark into action." Or where even a handful of malcontents may be mobilized for lawless activity: "In another country, where the resistance movement is small but daring, a CIA agent dispatched a band of saboteurs to a trestle on the main Red rail supply line" and the bridge was blown up. When railroads are blown up, people are killed, property is damaged. This is war, carried on secretly in peacetime against countries with which we are at peace and have normal diplomatic relations. This is dirty and dangerous business, a violation of international law, and of common morality.

Against this background it becomes possible fully to appreciate what Mansfield of Montana told the Senate last March 10 in calling for the establishment of a Joint Congressional Committee to act as a "watchdog" over CIA activities. "We cannot permit CIA," Mansfield said, "any more than we can permit any government agency to have free reign to do anything it wants anywhere in the world. If its agents play carelessly with fire, the whole world might get burned."

Domestic Danger as Well

A secret agency, operating with virtually unlimited funds, represents a domestic as well as an international danger. The *Washington Post*, after exposing the CIA in 1953, seems to have been talked out of supporting the Mansfield proposal. It said last March 23 that the arguments for such supervision would be forceful "if the agency had any powers within the U.S. or over U.S. citizens, but the agency does not. It operates only in the foreign field." But there is evidence that CIA operates at home as well as abroad. One example was provided in the *Saturday Evening Post* series. "The CIA," it said, "maintains its own recruiting system . . . Youthful college students do not even know they have been quietly marked as possible intelligence officers." The process of recruiting begins when "Former G-2 [military intelligence] and OSS officers, now members of the faculties of some eighty of our top institutions of higher learning, look over members of their junior year classes with an eye for prospective CIA material." If this network can operate secretly for recruiting, it can operate secretly for other purposes.

The *Washington Star* of December 30, 1952, carried an article asserting that "the CIA established an intelligence service in the United States," though as we have seen it is forbidden to do this by law. Senator Mansfield cited the case of the two CIA agents who last year spread the false report that Owen Lattimore was about to flee the country and later refused to testify when subpoenaed. "Does this incident," Mansfield asked, "mean that the CIA is getting into the internal security field in competition with the FBI? Does it mean that officials of this Government agency can defy the courts?"

How much of CIA's activity is devoted to blowing up bridges in Poland or watching radicals in America? Nobody knows. How effective is it at the job it is supposed to do—military intelligence? Nobody knows that either. CIA claims the U.S. intelligence system is second only to that of the U.S.S.R. "I do not know," Mansfield commented, "whether this is a boast of strength or a confession of weakness. Hanson Baldwin has reported that some observers believe it is actually not as effective, in terms of end results, as the British Secret Service with roughly 3,000 employes, or the Israeli service, with roughly 300." Mansfield said estimates of CIA's personnel run from 8,000 to 30,000, and its annual expenditures from $500,000,000 to $800,000,000. That is a lot of men and money to be used without supervision.

What Can Be Done About CIA?

The Atomic Energy Commission, which handles secrets no less vital than those of CIA, is subject to supervision by a Joint Congressional Committee. Mansfield of Montana, backed by two dozen other Senators, has tried two years in succession to get a vote on a resolution to establish a similar committee to supervise CIA. Last year, it was again bottled up by Jenner, McCarthy's friend, in the Senate Rules Committee. The one hope of putting some check on CIA, limiting it to normal functions of intelligence, and keeping it from acting as a super State Department and sabotage agency, big enough to blow up hope of world peace, is to establish such a committee. Mansfield will reintroduce his resolution next session.

Could Precipitate a Third World War

A network of this kind, by miscalculation, could precipitate a third world war. Its control of intelligence gives it strategic power over policy decisions. Its blank check to act against communist influence everywhere may easily be used against any government which seems "communistic" to American business interests. What happened in Guatemala could happen on a larger scale in Mexico. What happened in Egypt could happen on a larger scale in India. Any liberal, any radical, any neutralist may easily appear suspect in CIA's eyes.

Congress and the country ought to know more about the man who heads CIA and wields all this power. Allen W. Dulles, its chief, is much less well known than his brother, John Foster. But the former, like the latter, showed no such crusading liberationist zeal before the war when Fascism threatened to envelop the world. As a partner in Sullivan & Crowell and a director of the Anglo-German J. Henry Schroder Banking Corporation, Allen W. managed to coexist quite peacefully with Fascism and Nazism. The Schroder bank helped Hitler obtain raw materials and foreign exchange with which to fight the world boycott. Another of its directors, V. Lada Mocarski, served with Dulles in the OSS during the war, operating out of Switzerland. How happy the German clientele of the Schroder bank must have been to have influential friends in both camps during the conflict.

The Dulles brothers represent capitalist forces quite content to do business with the Hitler regime, for all its crimes, so long as it promised to be an effective instrument of world counter-revolution. These latter day Metternichs skillfully emerged after the war to take over direction of national policy, helping to revive a Germany safe for their corporate clients and a world unsafe for socialism. This is the spirit in which they carry on today. The blank check of the CIA is a blank check in the hands of men who do not believe in co-existence, who are devoted to "liberation," who never waxed emotional over Fascist totalitarianism, and who may use their power to turn back the slow ebb tide away from world hate and tension.

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Why Not Call Him Gerald L. K. McCarthy In The Future?

As we went to press, the Senate of the United States had at last cut down to size the most unscrupulous boor ever to sit among its members. Four test votes culminated Wednesday night in censure 67 to 20 on the first count brought against McCarthy by the Watkins committee. McCarthy never got more than 21 votes on any test, and a majority of Republicans had joined a solid block of Democrats on every vote. The vote marked a very deflationary week for McCarthy; he had ignominiously failed to come anywhere near filling Madison Square Garden in New York on Monday night and similar rallies in Chicago and Los Angeles had been cancelled. The letters spread on the record by Senator Fulbright as the final debate opened on censure showed the crackpot, screwball nature of his following.

It has been a bad 18 months for Low Blow Joe. His luck began to sour last year. In July of 1953 he had to get rid of J. B. Matthews as staff director in the wake of protest over the latter's discovery that the Protestant ministry was a nest of Communists. A year later, the Mundt investigation forced Roy Cohn out as his counsel. Last October, deserting a sinking ship, his prize FBI man, Francis P. Carr, resigned as staff director. In less than a month, when the Democrats take over, he will lose his sounding board as investigating committee chairman. In the next few weeks, he will try vindictively to crush a few victims small enough so they can't fight back. We hope they will go into court on motions to quash their subpoenas and so delay his lame duck inquisition until his abused authority expires with the end of the year.

With Joe's deflation, watch for more opposition to his chief Senatorial supporter, Jenner. The conservative *Washington Star* rebuked Jenner Wednesday for his attack on Flanders, but noted that it was not so surprising when one recalled his speech calling General Marshall "a living lie." Jenner seems to be on a par with some of those letter writers to whom Fulbright called the Senate's attention.

Hiss: Congressional witch hunters decided not to summon him when they realized that he would again deny the Chambers charges under oath, forcing them to recall Chambers and embark on a repeat performance. They decided public opinion would not stand for a new prosecution of Hiss on the same charges and that his re-appearance on the witness stand might redound in his favor, giving him the broader platform he seeks from which to fight for vindication. Our favorite headline of the week was the *New York Daily News* "Hiss Comes Out Fighting." We applaud the tone and content of his statement on leaving prison and believe he deserves the widest support in his determination to clear his name. It would go far toward changing the atmosphere if he could do so.

Remington: There is no good reason to believe his murder had anything to do with politics. Political prisoners report little anti-Communist feeling in jail. The murder, however, may be used by Congressman Joel T. Broyhill (R., Va.), to resume his attacks at the next session on James V. Bennett, the Federal director of prisons. Broyhill accuses Bennett of being too kindly in dealing with political prisoners. The Remington murder would serve some useful purpose if it led to the organization of a group designed to protect political prisoners—the United States, to its shame, now has a growing number—and to help their families.

The German Elections: The Social Democratic victory in Hesse is no cause for rejoicing. The party had distinguished itself chiefly by its skill in evading the 1946 socialist constitution of Hesse, which called for the nationalization of heavy industry and utilities. The Social Democrats are more nationalistic than Adenauer, ready to make capital of the Saar issue, prepared to enter into a coalition with the rightist Refugee party, and not opposed in principle to rearmament. Student rioting against rearmament would be more encouraging if it did not take a mob form. The Christian Democratic Minister Without Portfolio, Franz Joseph Strauss, facing an uproariously hostile audience, made the most important observation of the campaign when he said, "If crockery throwing is to replace political argumentation then we are back in 1932 again." What the campaign demonstrated above all is how little attuned the Germans are to democratic processes.

Two Spanish Items The American Press Did Not Carry: Five men were sentenced in Madrid November 25 to from 12 to 20 years in jail for Freemasonry; leading business men in Barcelona went as a deputation to the Civil Governor on November 22 to protest the Franco regime's restrictions on business . . . The California CIO Council convention in Oakland last month rejected a resolution proposing that the new Anti-Communist Control Act be amended and voted instead for its outright repeal . . . Vigilant Society Guards Itself Against Subversive Teachers: One of the little known chapters in the life of Andrei Vishinsky is that in 1913 when he was about to take up a professorship in criminal law at Kiev University, the Tsarist authorities intervened on political grounds . . . The Illinois Supreme Court has overruled a requirement that Chicago Housing Authority tenants must sign loyalty oaths or face eviction. The Court ruled that to exclude persons "solely because of membership in organizations designated as subversive by the Attorney General" bore no reasonable relationship to the eradication of slums and the construction of low-cost housing.

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